

EXHIBIT H

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

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|-----------------------------------|---|------------------------|
| SILVERGATE PHARMACEUTICALS, INC., |) | |
| |) | |
| Plaintiff, |) | C.A. No. 18-1962 (LPS) |
| |) | C.A. No. 19-1067 (LPS) |
| v. |) | |
| |) | |
| BIONPHARMA INC., |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

FINAL JUDGMENT

This action, having been tried before the Court from February 1, 2021 through February 5, 2021, Honorable Leonard P. Stark, Chief District Judge presiding, the evidence and testimony of witnesses of each side having been heard and a decision having been rendered;

IT IS HEREBY ORDERED AND ADJUDGED this 29th day of April 2021, for the reasons set forth in the Opinion dated April 27, 2021 (D.I. 257) that:

1. Judgement is entered in favor of Bionpharma Inc. (“Bionpharma”) and against Silvergate Pharmaceuticals Inc. (“Silvergate”) on Silvergate’s claim that Bionpharma’s Abbreviated New Drug Application (“ANDA”) No. 212408 and the commercial manufacture, use, offer for sale, sale, and/or importation into the United States of the proposed generic product described therein infringes claims 4, 7, and 10 of U.S. Patent No. 10,039,745 (“the ’745 Patent”).

2. Judgment is entered in favor of Bionpharma and against Silvergate on Bionpharma’s counterclaim for declaratory judgment of noninfringement of claims 4, 7, and 10 of the ’745 Patent.

3. Judgement is entered in favor of Bionpharma and against Silvergate on Silvergate’s claim that Bionpharma’s ANDA No. 212408 and the commercial manufacture, use,

SO ORDERED this 29th day of April, 2021.

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